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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

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Held at the Palais des Nations, Geneva,
on Monday, 24 May 1993, at 10 a.m.

Chairperson: Mr. ALSTON

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General discussion on the rights of the ageing and elderly in relation to the rights recognized in the Covenant

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The meeting was called to order at 10.15 a.m.

GENERAL DISCUSSION ON THE RIGHTS OF THE AGEING AND ELDERLY IN RELATION TO THE RIGHTS RECOGNIZED IN THE COVENANT (agenda item 6) (continued)

1. The CHAIRPERSON recalled that the day which the Committee set aside at each session for general discussion was intended to provide it with the opportunity to hear the views and opinions of the widest possible variety of United Nations specialized agencies, non-governmental organizations and experts so as to see which issues the Committee should deal with in its future work.

2. At the request of Mrs. Jimenez Butragueño, Mrs. BONOAN-DANDAN read out the communication submitted by the Department of Policy Coordination and Sustainable Development in Vienna.

3. From the human rights standpoint, the most important phase in the implementation of the United Nations programme on ageing since the 1948 Declaration had been the International Plan of Action on Ageing. Adopted by both the World Assembly on Ageing and the General Assembly (A/RES/37/51) in 1982, the Plan reaffirmed the principles and objectives of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on human rights.

4. The next phase had been the adoption by the General Assembly in 1991 of the United Nations Principles for Older Persons (A/RES/46/91). The Principles covered such basic human rights as access to food, water and shelter and constituted a quasi-legal international instrument. They also dealt very specifically with the situation of the elderly, who should inter alia "have the opportunity to work" and "be able to participate in determining when and at what pace withdrawal from the labour force takes place". While specialists were generally in agreement on the usefulness of the Principles, it could not be denied that their implementation would entail significant changes in the social policy and legislation relating to labour and social security in many countries.

5. The same applied to the principles listed under the headings "care" and "dignity". The Principles were in no way binding and many countries had not drafted provisions dealing specifically with the rights of the elderly in institutions. So unless a more binding instrument was drafted or, at the very least, the Member States concerned were provided with more concise guidelines, there was the risk that the Principles would gradually become a dead letter.

6. One of the major issues from the human rights perspective was discrimination for reasons of age. Some of the ILO Conventions made mention of the issue, but primarily to recommend that older workers should have access to training. Discrimination in the workplace for reasons of age was still permitted under most legislation.

7. The Commission on the Status of Women had also mentioned age discrimination in its resolution 36/4 on the integration of elderly women in the process of development. It had requested the Committee on the Elimination of Discrimination against Women to take account of that type of discrimination

when evaluating the national reports it received; it had also invited the Preparatory Committee for the World Conference on Human Rights to place the question of discrimination for reasons of age on the agenda for that Conference.

8. In view of its terms of reference, the Committee on Economic, Social and Cultural Rights might also address the rights of the elderly; the initiative it had taken in devoting a discussion to the matter was very encouraging. Some countries had already volunteered information on the subject, in particular in connection with the application of article 10 of the Covenant.

9. The main obstacle to the proper implementation of the International Plan of Action on Ageing and the United Nations Principles for Older Persons was that they were not mandatory standards. They therefore needed to be redrafted as legally binding agreements. A further obstacle was the fact that the elderly had less power in society, which meant that it was doubtful whether that social category, like many others, would ever be able to fully enjoy its rights.

10. The question of ensuring equal opportunities for the elderly could be seen in terms of the relationship between the full exercise of rights and development. The United Nations Principles for Older Persons took account of their potential contribution to development and called for their participation in the definition and application of policies which directly affected their well-being. Participants at various seminars had drawn similar conclusions.

11. There was a project dealing specifically with the issue of the relationship between ageing and development under the United Nations Programme on Ageing. The aim of the project was to suggest policy trends which would encourage the participation of the elderly. It was essential that the authorities should do their utmost to make use of the potential of the elderly for development. The traditional concepts of retirement, the old-age pension, institutionalization and passive care, which reinforced the social dependence of the elderly, must be replaced by more dynamic policies to reduce that dependence and guarantee their rights.

12. Every four years the United Nations reviewed the implementation of the International Plan of Action on Ageing. It was an opportunity to assess the progress achieved and the obstacles encountered, as well as to develop practical strategies for improved implementation. Governments also turned the results of the survey to account for their own policies in the field of ageing. The results of the third such review indicated that, although progress had been made, much remained to be done in the application of the recommendations contained in the Plan of Action. The United Nations had developed worldwide and national strategies to promote its further implementation. By its resolution 47/86 the General Assembly had inter alia adopted a set of global targets for the year 2001 and had urged Member States to consult the guide for setting national targets on ageing.

13. Mr. SWEPSTON (International Labour Organisation) drew attention to a booklet entitled "The ILO and the elderly" which was available to the Committee, and noted that the ILO's main contribution to the Committee's work

was its action in the field of employment in general - which was covered by articles 6 to 9 of the Covenant - as well as its activities relating to the family, covered by article 10.

14. The ILO's activities were of three types: standard-setting, research and technical cooperation. In the first of those areas the ILO had always dealt with the issue of elderly workers; initially it had addressed the problem of their social security, retirement pensions and so on, and then, more recently, it had drafted Recommendation 162 which was a much more comprehensive provision on the principles and policies to be followed at the national level for the protection of older workers. In that connection he noted out that the ILO had two types of standards: its conventions, which were legally binding, and its recommendations which were merely guidelines. Recommendation 162 had three objectives, namely the prevention of discrimination in the employment, the strengthening of social security and the preparation for and access to retirement. Its scope was extremely broad since it was a compilation of a variety of standards already issued over the years on different aspects of the question. It was also more general since, in line with the ILO's approach, it was not aimed at a particular age group but applicable to all workers who might feel that their job was threatened because they were growing old, regardless whether they were self-employed or wage-earners. It was the responsibility of each country to apply the Recommendation in conformity with its national legislation and according to local conditions.

15. Other recommendations covered various aspects of employment. For instance, Recommendation No. 122 on employment policy drew attention to certain vulnerable groups, such as the elderly, whose situation was particularly precarious in times of change or structural adjustment.

16. Questions of equal opportunity and treatment were particularly important to the ILO. A general Convention (No. 111) listed certain criteria on the basis of which no kind of discrimination could be made, although age was not among them. However, the Convention authorized Governments to indicate areas in which discrimination was prohibited, and some countries had specified those where discrimination based on age was not allowed. Another convention, namely, Convention No. 142, concerning the role of career guidance and vocational training in human resources development, stated that training and guidance should be provided without any discrimination as to age.

17. In the view of the ILO, retirement was not simply the abrupt end of a working life. Recommendation No. 162 contained certain suggestions on the type of measures that might be taken to ensure the gradual transition to retirement, such as reduction of the working day as workers grew older and development of a system of remuneration that took account not only of performance but also his experience and know-how.

18. Another aspect of the situation of elderly workers concerned those with dependants, which was dealt with by ILO Convention No. 156, adopted in 1981. It was aimed at two categories of workers, namely, those who had started work rather late in life because they had been looking after their families, and active workers who had to take care of elderly members of the family. The Convention stipulated that such family reasons could not be justification for any kind of discrimination against the workers in question.

19. The problem of migrant workers was extremely serious, and the highly precarious nature of their situation had recently been highlighted during the Gulf war. And yet their earnings represented significant revenue both for their countries of origin as well as the host countries. A study of their situation was provided for by the Covenant as well as by the ILO conventions, and it was particularly important to determine whether the rights of migrant workers to an old-age pension were being respected and whether transfer of that pension as well as other acquired benefits to the country of origin was guaranteed.

20. In 1991 the ILO had launched a study on the situation of retired migrant workers in 10 different countries. However, since in the meantime some countries had been unable to pay their contributions, the ILO had been obliged to reduce its budget, so that the study now covered only the United Kingdom, Japan, France, United States and Canada. Those working documents as well as some other detailed suggestions on the list of questions that might be raised by the Committee would be communicated to its members.

21. The CHAIRPERSON invited members of the Committee to put questions to the representative of the International Labour Organisation. Despite the usefulness of Mr Swepston's statement it appeared that the ILO dealt with matters concerning elderly workers only from time to time. He asked whether the ILO followed the situation of such workers systematically and not simply on the basis of random observations made when a given country was studied. He also asked whether a general study had been made of the application of either one of the relevant instruments in that area.

22. Referring to Mr. Swepston's explanations concerning Recommendation No. 162 and Convention No. 111, he would welcome detailed information on the steps taken by countries to implement Convention No. 111, and in particular whether they had confined its application to elderly workers or had extended it to cover any person likely to experience discrimination because of age. The working document received from the Department of Policy Coordination and Sustainable Development in Vienna made specific reference to such discrimination on grounds of age. That point had been of great concern to Australia during the recent economic crisis, for persons of over 35 had believed that it would be impossible to find a job. As a result, legislation had been introduced imposing an upper or lower age-limit for all types of occupations, but it had had the unfortunate effect of encouraging discrimination based on age. Reference to age would not suffice unless justified by objective criteria. It would be useful for the Committee to draft a comprehensive comment on age discrimination in general rather than on discrimination against the elderly only.

23. An interesting question, which was perhaps not within the ILO's field of interest concerned the support that elderly parents should expect from their children. He wondered whether placing children under such an obligation might not be at variance with provisions prohibiting forced labour and raise problems from the human rights standpoint. A proposal had been made to include an obligation of that nature in the Convention on the Rights of the Child, but as representative of UNICEF he had opposed it on the grounds that it was quite out of place, although he was totally in favour of the idea of children helping their elderly parents.

24. Mr. SWEPSTON (International Labour Organisation) said it was true that the ILO had no specific programme dealing exclusively with the elderly. None the less, there were numerous publications on different subjects dealing with that category of person. Each year the Committee of Experts of the Application of Conventions and Recommendations prepared a comprehensive study, and one of those studies, prepared several years previously, had been on the protection of old-age through social security. As for the Chairperson's second question, he could only say that there was at present little material available on discrimination against persons who were too young. Nor did he have any precise information on what had been done in countries where discrimination based on age was prohibited. Lastly, the idea of requiring children to look after their elderly parents would not, to the best of his knowledge, be at variance with the ILO Convention concerning forced or compulsory labour (No. 29), although it might well raise certain problems in connection with other international instruments. For that reason it would be useful to have information on judicial practice concerning the application of the African Charter on human and people's rights as well as the American Declaration of the Rights and Duties of Man (1948).

25. The CHAIRPERSON, noting that there was no general prohibition on discrimination based on age, whatever it might be, wondered what role the Committee could play in the circumstances. Should it draft a recommendation on the subject or request the ILO for an opinion on the question of the obligation of children to support their parents?

26. Mr. SWEPSTON (International Labour Organisation) confirmed that ILO Conventions did not contain any specific provisions on the question of age. On the contrary, age was not regarded as a criterion that could be invoked by individuals when, for instance, challenging what appeared to them to be an unfair dismissal. Only Convention No. 111 concerning discrimination in respect of employment and occupation - and despite the fact that it did not mention age as one of the grounds for discrimination - provided for its possible inclusion after consultation with employers' and workers' organizations. However, there was nothing to prevent the Committee from requesting an opinion from the ILO on the human rights consequences of discriminatory practices based on age. The request could be transmitted by the Centre for Human Rights and in principle the ILO should be able to reply to the Committee at its next session.

27. Mrs. PINET (World Health Organization) wished first of all to express her views on the question of support of elderly dependants. Placing children under the obligation to take care of their elderly parents reflected to some extent an individualistic approach to the matter, for it was society in general that had to make an effort to take care of the oldest segments of the population. Moreover, since the cost of looking after the elderly at home or providing care in institutions was often very high, it was difficult to imagine that individuals would shoulder all the expenses incurred by their aged parents. Perhaps it would be best to ask children to contribute to the support of their parents without obliging them to assume the entire cost.

28. Since its establishment in 1948, the World Health Organization had concerned itself with the ageing process on the one hand, and the social welfare and medical care of the elderly on the other hand. It sought a better

understanding of the factors contributing to the ageing process as well as the illnesses of old age and promoted aid services for the elderly. It prepared a series of technical reports on geriatrics and gerontology and studied the ageing of the population. In that connection, it was noteworthy that, contrary to popular belief, the developed countries were not alone in facing the problem of an ageing population. At the present time, 57 per cent of persons above the age of 65 lived in developing countries. That figure should reach 70 per cent by the year 2020. Most of the developing countries were as yet unaware of that fact, since in many cases national statistics were lacking. WHO was preparing demographic profiles for each country so as to ensure that they would know what to expect. There was a health programme for the elderly, which currently focused on a research programme on ageing covering four main areas, namely, factors conditioning a healthy old age, the evolution of the immune system with age, osteoporosis and its risk factors as well as Alzheimer's disease and related forms of senile dementia.

29. She underlined the importance of legislation on health matters which, accompanied by budgetary provision and legal sanctions, was an effective means of implementing a health and social policy geared to the elderly. Action on behalf of the elderly took account of various factors including social welfare, their way of life and housing conditions, the resources available, the priority attached to the health and well-being of the elderly in the context of existing economic and social policies, and so on. Indeed, policies in respect of the elderly reflected the ethical principles of society. Low-key methods of promoting the right of the elderly were also very important, above all for those institutions. For instance, a notice posted in a retirement home or clinic setting forth the rights of the elderly would create greater awareness about those rights and provide the opportunity for appeal if the house regulations of such establishments, often through negligence, failed to respect the rights to correspondence or visits, for example.

30. Equally important for the protection of the rights of the elderly was that countries define an overall health and social policy, whose essential objective must be to ensure the continuity of life for the elderly by enabling them to stay in their own homes and remain as independent as possible. That entailed real recognition of the particular characteristics of the rights and freedoms of the elderly. Such a policy must also be broadly decentralized, since local communities were in the best position to understand the needs of elderly. Furthermore, the participation of the elderly in public life must be ensured through advisory committees or associations which would provide a link with the administration. Lastly, it was essential that action taken on behalf of the elderly should be concerted and coordinated, in other words, all the persons involved in the public or private sectors, health or social services, volunteers or otherwise, must coordinate their approach. Lack of such coordination was still only too often a stumbling block in many countries. However, apart from any action taken by the health authorities, it was important that various other local bodies, such as the housing, town planning and transport authorities, should take account of the needs of the elderly. The support provided through social services and community care should also be strengthened.

31. In conclusion, she said that one of the basic issues raised by any policy for the elderly was whether specific measures should be adopted or whether it would be enough simply to increase awareness about the rights of all citizens. In her view, just as it was unfair to treat people who were the same in a different way, so it was equally unfair to treat those who had become different in the same way as the rest of the population. If the elderly were to exercise their fundamental rights fully, some allowance must be made for the disabilities they suffered on account of their age; their rights should therefore receive special recognition.

32. Mrs. HOSBINS (International Federation on Ageing and American Association of Retired Persons) said she wished to speak on behalf of the International Federation on Ageing, which comprised some 100 organizations in 50 countries, as well as the American Association of Retired Persons, which was active in the United States of America as well as abroad and had a membership of over 34 million. The activities of those two organizations were based on the principles of dignity, self reliance and participation. Clearly, however, those principles were not tantamount to a refusal to seek request or receive assistance from outside sources when necessary, for in the absence of any commitment or participation by the public at large, the most vulnerable members of society were inevitably marginalized. She noted that while there was general awareness of the risks of the marginalization of certain groups of the population such as women, the ethnic minorities or the disabled, the risks as far as the elderly were concerned were often curiously ignored. It could well be asked why the contribution of the elderly to society was so frequently underestimated or even denied. On the other hand the elderly were often regarded primarily as a vulnerable category of the population in need of assistance. While that was certainly true in some cases, the fact that the vast majority of the elderly throughout the world continued to work, take care of themselves and be of assistance to their families and their countries should not be overlooked.

33. It was known that the rights of the elderly were not protected by a specific international legal instrument, despite the fact that the elderly now accounted for a significant proportion of the population. In 1992 persons over the age of 65 constituted 6.2 per cent of the world's total population. The number of elderly persons was increasing very rapidly, and soon more than a million would reach the age of 65 each month. It was therefore not a question of there being too many old people, but rather that there were so many that the recognition of their contribution in terms of qualifications, time and knowledge had become an economic and cultural necessity. Of all the international legal instruments in force, the Covenant on Economic, Social and Cultural Rights alone protected the rights of the elderly at least implicitly, if not explicitly. The two organizations she represented appreciated the fact that the Committee was specifically addressing the question of the application of the Covenant to the elderly.

34. With regard to the situation of the elderly in the light of the provisions of the International Covenant on Economic, Social and Cultural Rights, she noted that, in connection with article 6, which recognized the right to work, it was important to know whether the elderly could continue to work if they so wished, whether retirement at a certain age was mandatory and, in general, whether there were ways of making use of the skills of the elderly

either on a voluntary or paid basis. As for article 7, it was important that the elderly should benefit from appropriate health and safety measures and have the opportunity to attend courses at work in preparation for their retirement. As to article 9, social security or other support schemes should be established for those who would not receive a pension or whose pension would be inadequate - a problem which above all concerned elderly women. Regarding article 10, it was advisable for the family to continue to bear responsibility for both the upbringing of children and care of the elderly. Old people who wished to continue to live in their own homes should be allowed to do so for as long as possible, in preference to institutional care. With regard to article 13, it was important to know to what extent the elderly should be able to take advantage of educational facilities, lead an independent life and also help their families and communities. In that connection she pointed out that in the United States voluntary work by the elderly was not only the prerogative of the rich. Such work was done at all levels of society and in various cultural and economic contexts, although such activities required adequate infrastructure, training and administrative support.

35. The CHAIRPERSON asked Mrs. Hosbins whether the American Association of Retired Persons recognized economic, social and cultural rights as human rights or whether, like the Bush and Reagan Administrations, it regarded them - and in particular the right to health and security - merely as "aspirations".

36. Mrs. HOSBINS confirmed that the American Association of Retired Persons regarded the right to health and economic security as a fundamental human right.

37. The CHAIRPERSON said that a written document from the American Association of Retired Persons confirming official recognition of the right to social benefits as a fundamental human right would certainly help to speed up the ratification of the International Covenant on Economic, Social and Cultural Rights by the United States. He then asked Mrs. Hosbins whether the associations she represented had the necessary facilities to evaluate the work done in Vienna. Did she consider that the United Nations Principles for Older Persons and the International Plan of Action on Ageing could produce worthwhile results, or merely constituted more documentation for the United Nations bureaucracy? Should other solutions be envisaged and, lastly, was the Committee on Economic, Social and Cultural Rights truly in a position to play an effective role as far as the elderly were concerned?

38. Mrs. HOSBINS said that the organizations she represented strongly supported the activities of the Ageing Unit at the Centre for Social Development and Humanitarian Affairs in Vienna. In fact, the United Nations Principles for Older Persons adopted by the Centre for Social Development, and subsequently by the General Assembly, were broadly based on the Declaration of the Rights of the Elderly which had been drafted by the International Federation on Ageing (IFA). The Commission for Social Development had transformed the Declaration into a set of principles which were based to a large extent on the International Plan of Action on Ageing adopted in Vienna

in 1982. The International Federation on Ageing and the American Association of Retired Persons had supported all efforts made by the Ageing Unit since the World Assembly on Ageing held in 1982.

39. As to the role of the Committee on Economic, Social and Cultural Rights with regard to the elderly, she observed that many of the rights set out in the International Covenant on Economic, Social and Cultural Rights were applicable to the elderly. Since the Covenant was binding in nature, the Committee could undoubtedly play a very useful role as far as the elderly were concerned.

40. The CHAIRPERSON took it that the Committee on Economic, Social and Cultural Rights was ready to adopt general comments on the rights of the elderly, and asked the organizations concerned to reflect on the provisions they wished to be included in those comments.

41. Mr. DINH (International Federation of Associations of the Elderly) said that FIAPA had been set up in 1980 by associations of the elderly in four European countries. It now had branches in 39 countries in the five continents, and the affiliated associations had more than 100 million members.

42. Describing FIAPA's four main activities, he said that, first, it represented the elderly at the international level within the United Nations and the European Economic Community. At the United Nations, FIAPA was one of the 41 non-governmental organizations in consultative status with the Economic and Social Council (category I). In the European Community, FIAPA was one of the four members of the advisory body responsible for dealing with the problems of the elderly. FIAPA also cooperated with UNESCO and the Council of Europe. Second, FIAPA promoted dialogue by organizing international meetings. In 12 years it had organized nine colloquia; the last, held in Barcelona in 1992, had been attended by 1,500 delegates from 29 countries. Third, FIAPA conducted surveys with a view to proposing action. One of its surveys had dealt with the concerns and aspirations of the elderly in 20 countries. According to the replies received, the elderly had two main concerns: their family and their health. They also hoped to remain an integral part of society and to play a useful role in it. On the basis of the results of those surveys, FIAPA had decided to draft three action reports with the support of the United Nations and the European Community. One report dealt with the participation of the elderly in the life of the community, while the second report analysed the influence of education on the health of the elderly. The third report on family ties would serve as a link between the European Year of the Elderly (1993) and the International Year of the Family (1994). FIAPA's Fourth and by far most important activity was to promote and achieve the complete integration of the elderly in the life of the community.

43. He added that any discussion of human rights must be based on the realities of life rather than on theories, and observed that, as a result of economic, social and demographic developments in many countries, people were living longer. For instance, one in five persons in France was now more than 60 years old and by the year 2050 the corresponding figure would be one in three. There was thus a new kind of older people who were more available and more willing to make a contribution to the life of the community, and it would be absurd to ignore their potential. It was also imperative to enable the

elderly to assume their responsibilities and to place their skills and experience at the service of others. That would restore their dignity and reflect their true role in the community. Any discrimination based on age would be avoided and above all a new concept of age encouraged, since that would create a relationship between the generations characterized by comprehension, solidarity and harmony and thus general respect for the uniqueness of life.

44. Since FIAPA had been invited to participate in the World Conference on Human Rights in Vienna, he wondered how far the Committee's discussions would be reflected in the work of the Conference.

45. The CHAIRPERSON said he was not optimistic on that point. He personally considered that it would be preferable to take the floor in connection with the work of NGOs rather than at the Conference itself. The Committee on Economic, Social and Cultural Rights would be represented at the World Conference on Human Rights but would have only about five minutes to outline the various issues with which it dealt.

46. With regard to the question of equality between different generations, he requested members of the Committee to suggest how best the Committee could deal with such complex subjects as retirement, the right to health and to education.

47. Mr. GRISSA considered that a flexible approach should be adopted to the right to work of the elderly, since some wished to stop working when they reached retirement age, while others preferred to continue. Moreover, certain occupations demanded qualities such as physical strength, adaptability and speed which the elderly no longer possessed. Furthermore, the comparison between the rights of the elderly and those of children was inappropriate, since the latter could not vote and thus required legal protection whereas the elderly could assert their rights by directly influencing the results of elections. Lastly, while it was possible to protect and promote the right to health and decent living conditions for the elderly, it was more difficult to envisage the protection of their right to education at a time when many countries did not even have the means to train their young people.

48. Mr. DINH (International Federation of Associations of the Elderly) said that there was a tendency to lower the retirement age laid down by the law in each country as a result of trade union demands and economic difficulties; in other words, Governments were forced to reduce the retirement age in order to mitigate labour market pressures. In the view of FIAPA, retirement should not mean the complete cessation of all activity. The elderly could engage in community and training activities, and also amass and pass on the wisdom they had accumulated over the years. Of course such activities should be on a voluntary basis so as not to place an additional burden on society. He was aware that the non-governmental organization he represented could not influence the deliberations of the World Conference on Human Rights to any great extent, and therefore hoped that the Committee could speak on its behalf. However, judging from the Chairperson's reply to his query he took it that that would be difficult.

49. Mrs. JIMENEZ BUTRAGUEÑO considered that flexibility was needed in dealing with the elderly since their situation differed from one country to another. A case in point was education: in the Netherlands, for example, university attendance was very high and there were few places left for the elderly who wished to study there. On the other hand, in Spain, where the birth rate had dropped sharply many places would soon be available for the elderly. Moreover, she was not certain that there was a tendency to lower the retirement age which was in fact being raised in some countries because of problems in funding retirement schemes.

50. She also wondered whether the Committee's representative at the World Conference on Human Rights could take account of proposals from certain NGOs with a view to including a reference to age in Principle 8. It was indeed regrettable that no international instrument mentioned age as one of the grounds on which discrimination should not be tolerated. Lastly she expressed the hope that in 1999, the year of the elderly, a new convention would be adopted on the subject, for although the International Plan of Action on Ageing was a praiseworthy initiative it was not in any way binding on States.

51. Mr. RATTRAY said that the issues being considered by the Committee involved not only the rights of the elderly in general, but also certain specific rights, including the right to health or education. Such problems were not purely age-related, for old age did not necessarily entail disability. On the other hand, cases of disability or infirmity raised the problem of health, which was covered by the right to health. What was necessary, therefore, was to determine how far a person was entitled to social benefits, simply because he wished to improve his living condition, regardless of his age. Moreover, a person in a particular situation should be treated in a different way and be entitled to "positive discrimination", irrespective of age. Lastly, with regard to retirement, many agreed that there should be no mandatory retirement age, while affirming that everyone should be able to opt for retirement at a given age.

52. The CHAIRPERSON pointed out that the right to retire at a certain age need not be seen as an obligation. Likewise, the right to work did not imply that, at a certain stage of his life, a person was unable to give up working.

53. Mr. LAMBERT-LAMOND (International Association of the Third Age Universities - AIUTA) said the Association he represented had approximately 140 accredited members who were affiliated with a recognized university and had been accepted after an inquiry by regional experts, as well as associate and honorary members. The number of institutions joining the Association was increasing year by year, and were situated in Europe, in the two American sub-continents as well as in Australia.

54. Subject to certain variations and different names according to the countries and their respective university traditions, the general aims of universities for the elderly were to refresh or increase the knowledge of the "students", who were generally aged 60 at the time of matriculation and to encourage exchanges between the university and the "students" as well as their integration in the life of the community. Furthermore, some of the older students at several universities for the elderly, did research organized and supervised by specialists focusing on the living conditions of the elderly

from the social and medical standpoint. Lastly, the universities for the elderly made an effort not to engage in any activities already covered by other public or private organizations.

55. Within that framework, AIUTA concentrated on forming an international network of universities for the elderly; encouraging their establishment and development throughout the world; creating and maintaining cultural and scientific contacts between them; developing all forms of cooperative activities in the common interest; coordinating training, study and research activities and developing information and exchange services for that purpose; and cooperating with organizations concerned with higher education for the living conditions of the elderly. AIUTA therefore had a very important role to play in the field of education, culture and research on behalf of all those who wished to use their newly-found free time in a positive fashion, which was not only beneficial to the university itself as it expanded its operations, but also to society as a whole.

The meeting rose at 12.50 p.m.